

TGA.7826

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**MUHAMMED MUGHAL and  
TANZILLA MUGHAL, Individually  
and as Parent and Next Friend for S.M.  
and U.M., Minor Children; MIRZA  
MUGHAL, as Parent and Next Friend  
for A.M., A Minor Child**

**V.**

**APPLEGATE TRUCKING, LLC and  
JUSTIN DEAN BROWN**



**CIVIL ACTION NO. 2:17-CV-419**  
**JURY**

## FINAL JUDGMENT

On this day came on to be heard the above-referenced cause and came **MUHAMMED MUGHAL AND TANZILLA MUGHAL, INDIVIDUALLY AND AS PARENT AND NEXT FRIEND FOR S.M. AND U.M., MINOR CHILDREN; AND MIRZA MUGHAL, AS PARENT AND NEXT FRIEND FOR A.M., A MINOR CHILD**, Plaintiffs, represented by their attorney; and Mike C. Miller, duly appointed as Guardian *Ad Litem* for the Minor Plaintiffs herein; and came **APPLEGATE TRUCKING, LLC and JUSTIN DEAN BROWN**, Defendants, represented by their attorneys of record.

All parties announced ready for trial, and a jury having been waived, all matters of fact as well as law were presented to the Court, and all parties further announced to the Court that a Settlement Agreement and Release had been reached in the cause; and the Court having considered such 1 Settlement Agreement and Release, and having heard the testimony and argument of counsel, is of the opinion and finds the following:

That the Plaintiffs and the Defendants have satisfactorily compromised and settled all the issues involved herein, which Settlement Agreement and Release has been reduced to writing, and

signed by the respective parties thereto and their attorneys, which said Settlement Agreement and Release is made a part hereof by reference for all purposes as if fully set forth herein.

After hearing the evidence, the Court is of the opinion and finds that the Settlement Agreement and Release is fair and equitable and is in the best interest of the Minor Plaintiffs, **S.M., U.M., and A.M.**, and further approves the action and conduct of **MUHAMMED MUGHAL, TANZILLA MUGHAL,** and **MIRZA MUGHAL** in filing this suit as Next Friends for the Minor Plaintiffs, and further approves the action and conduct of Mike C. Miller in assisting compromise and settling this suit as Guardian *Ad Litem*.

It is therefore **ORDERED, ADJUDGED and DECREED** that the Settlement Agreement and Release be and is hereby in all matters approved.

It is therefore **ORDERED, ADJUDGED and DECREED** that in consideration for the Settlement Agreement and Release of the Claims between and among the parties, the Defendants agrees to pay One Million and No/100ths Dollars (\$1,000,000.00) as outlined below:

- A. The sum of Six Hundred Fifteen Thousand Eight Hundred Eighty-Seven & 28/100ths Dollars (\$615,887.28), to be paid by Defendants on behalf of Plaintiffs MUHAMMED MUGHAL, TANZILLA MUGHAL, and MIRZA MUGHAL.
- B. The sum of Two Hundred Fifty-One Thousand Two Hundred Seventy-Eight and 87/100ths Dollars (\$251,278.87) to be paid into the Registry of the Court by Defendants on behalf of Minor Plaintiff AAIRA MUGHAL.
- C. The sum of Sixteen Thousand Three Hundred Forty-Six and 69/100ths Dollars (\$16,346.69) to be paid into the Registry of the Court by Defendants on behalf of Minor Plaintiff SHAHROSE MUGHAL.
- D. The sum of One Hundred Sixteen Thousand Four Hundred Eighty-Seven and 16/100ths Dollars (\$116,487.16) to be paid into the Registry of the Court by Defendants on behalf of Minor Plaintiff USWA MUGHAL.
- E. The sum of \$19,360.00 to be paid to the Law Office of Mike C. Miller, P.C. in payment of Guardian *Ad Litem* fees.

It is further ORDERED of this Court that all other medical care providers or health insurance companies which allege or assert a subrogation interest in this action have waived such interest by failing to file a Petition in Intervention in a timely manner.

It is further **ORDERED, ADJUDGED and DECREED** that all costs of court associated with Plaintiffs' claims against Defendants be taxed against the party by whom incurred.

The Court denies all relief not granted in this judgment.

This is a FINAL JUDGMENT.

**SIGNED this 5th day of June, 2018.**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE

**APPROVED AS TO FORM ONLY:**

/s/ Brent Goudarzi

**BRENT GOUDARZI**

**MARTY YOUNG**

**GEOFFREY HOOVER**

**Attorneys for Plaintiffs**

**MUHAMMED MUGHAL and**

**TANZILLA MUGHAL, Individually**

**and as Parent and Next Friend**

**for S.M. and U.M., Minor Children;**

**and MIRZA MUGHAL, as Parent and  
Next Friend for A.M., a Minor Child**

MIKE C. MILLER, Guardian *Ad*

*Litem* for Minor Plaintiffs S.M.,

U.M., and A.M.

/s/ Bryan P. Reese

**BRYAN P. REESE**

**LANCE L. LIVINGSTON**

**Attorneys for Defendants**

**APPLEGATE TRUCKING, LLC and**

**JUSTIN DEAN BROWN**